



CITY APPOINTEES
MARY SHARP, VICE CHAIR
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MARGARET PRITCHARD
JAMES TOLES
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MEMPHIS AND SHELBY COUNTY LAND USE CONTROL BOARD

EST. 1922 AS MEMPHIS PLANNING COMMISSION - REORGANIZED IN 1976

JOSH WHITEHEAD, AICP, SECRETARY
CITY HALL - 125 N. MAIN ST., STE. 468 - MEMPHIS, TENNESSEE 38103 - (901) 576-6601



COUNTY APPOINTEES
JON MCCREERY, CHAIR
ROBERT NORCROSS
EMILY TRENHOLM
DESIREE LYLES WALLACE
LISA WILBANKS

MINUTES October 8, 2015

Meeting Attendance

LUCB Board Members

OFFICERS/MEMBERS	NAME	PRESENT	ABSENT
Chairman	Jon McCreery	X	
Vice Chairperson	Mary Sharp	X	
Member	Scott Fleming	X	
Member	Margaret Pritchard		X
Member	Robert Norcross	X	
Member	James Toles	X	
Member	Emily Trenholm	X	
Member	Desiree Lyles Wallace	X	
Member	Alfred Washington		X
Member	Lisa Wilbanks	X	

Call to Order and Roll Call

Chairman McCreery called the meeting to order at 10:00 a.m. Josh Whitehead called the roll. There was a quorum.

LUCB Staff: Calvin Abram, Brian Bacchus, Gene Burse, Don Jones, Marion Jones, and Norman Saliba.

Others Present: Nancy Aaliyah, Joyce T. Bailey, Frank G. Barton, John Bogan, Marina Bogan, Corey Brady, Regina Gambill, John Leake, Harvey Marcum, Charles W. Misenhelter, Forest Owens, Cindy Reaves, David Wade, Rickey E. Wilkins and John R. Wills, Jr.

Chairman's Opening Remarks

Chairman McCreery read the General Order of the Public Hearing proceedings and the Conflict of Interest Statement.

Secretary's Report

There were none.

Approval of Minutes: September 10, 2015

Board Member Fleming made a motion to approve Minutes of September 10, 2015. The motion was seconded by Board Member Sharp. The motion passed unanimously.

General Order of Public Hearing

Chairman McCreery explained the procedure for hearing the applications; staff presentation for the application; applicant comments; comments from the public; time limits; rebuttal; and the LUCB's discussion and action. Chairman McCreery also explained the procedure for hearing the Consent Agenda Items. He then introduced Board Member Lisa Wilbanks to be the Subdivision Chair and to read the Consent Agenda Items. The Consent Agenda Items were 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and 15.

Consent Agenda (Items 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and 15)

- 1. CASE NUMBER:** S.A.C. 15-611
PROJECT LOCATION: Echles Street between Southern Avenue and Spottswood Avenue.
Request: To vacate public right-of-way in the Campus Master Plan-1 (CMP-1) District.
Staff's Recommendation: 30 Day Hold
- 2. CASE NUMBER:** S.A.C. 15-612
PROJECT LOCATION: Loggins Avenue between Echols Street & Houston St.
Request: To vacate public right-of-way in the Campus Master Plan-1 (CMP-1) District.
Staff's Recommendation: 30 Day Hold
- 3. CASE NUMBER:** S.A.C. 15-611
PROJECT LOCATION: Echles Street between Southern Avenue and Spottswood Avenue.
Request: To vacate public right-of-way in the Campus Master Plan-1 (CMP-1) District.
Staff's Recommendation: 30 Day Hold
- 4. CASE NUMBER:** S.A.C. 15-612
PROJECT LOCATION: Loggins Avenue between Echols Street & Houston St.
Request: To vacate public right-of-way in the Campus Master Plan-1 (CMP-1) District.
Staff's Recommendation: 30 Day Hold
- 5. CASE NUMBER:** U.V. 05-008
PROJECT LOCATION: 61 Keel Avenue, Southeast corner of Keel Avenue and North Front Street.
Request: Major modification to the existing use variance at 61 Keel Avenue to add property to the site plan and provide access to Looney Avenue.
Staff's Recommendation: Approval w/6 Conditions and the deletion of Condition IV.

- 6. CASE NUMBER:** S.U.P. 15-215
PROJECT LOCATION: South side of Union Avenue at 4th St., extending south to Gayoso Ave.
Request: A Special Use Permit to allow a Hotel.
Staff's Recommendation: Approval with Conditions
- 7. CASE NUMBER:** S.U.P. 15-218
PROJECT LOCATION: 2876 Lamar Avenue
Southeast corner of Lamar Avenue and Dunn Alley.
Request: Vacant land in the Commercial Mixed Use (CMU-3) zoning district.
Staff's Recommendation: Approval with Conditions
- 9. CASE NUMBER:** P.D. 05-381 CC / P.D. 99-308 CC
PROJECT NAME: The Crossing at Woodland Hills Planned Development and Woodland Hills Planned Development
Request: Erection of a detached sign to advertise a proposed business in the Crossings of Woodland Hills PD with a reduced sign setback of 8 feet along Houston Levee Road where 15 feet is currently required and a reduced sign setback of 4 feet at the rear of the sign where 10 feet is required.
Staff's Recommendation: Approval with (4) four Conditions
- 10. CASE NUMBER:** P.D. 13-318 CC
PROJECT NAME: Funeral Home, Imperial Love 1
Request: To allow an awning for commercial signage modification to Planned Development.
Staff's Recommendation: Approval with Conditions
- 11. CASE NUMBER:** P.D. 15-318
PROJECT NAME: MVS Real Estate Planned Development
Request: To allow a veterinary clinic and other animal related uses within an R-6 zoning district.
Staff's Recommendation: 30 Day Hold
- 15. CASE NUMBER:** S.U.P. 15-219
PROJECT NAME: Barton Power Sports at Martin
Request: To allow motorcycle and ATV sales within CMU-1 zoning district.
Staff's Recommendation: Approval with Conditions

Chairman McCreery asked if there were any items needed to be removed/pulled for discussion. Agenda Item 15 was pulled. Chairman McCreery then asked the board members for a motion to approve Consent Agenda Items 1, 2, 3, 4, 5, 6, 7, 9, 10 and 11. Board Member Wilbanks made a motion to approve Consent Agenda Items 1, 2, 3, 4, 5, 6, 7, 9, 10 and 11 in agreement with

staff's recommendations. The motion was seconded by Board Member Fleming. Board Member Wilbanks recused herself from Agenda Item #9. The motion passed unanimously.

REGULAR AGENDA ITEMS:

Board Member Wilbanks served as Zoning Chair and she then called the first case.

Item 8: CASE #: S 15-09

Request: To make certain findings of fact on the proposed two-lot subdivision in response to a Memphis City Council Resolution dated September 1, 2015.

Location: Northwest corner of Poplar Avenue and Belle Meade Lane

Applicant: John R. Wills, Jr.

Applicant Representative: Rickey E. Wilkins, Rickey E. Wilkins Law Office
66 Monroe Ave. #103, Memphis, TN 38103

Chairman McCreery recognized the following persons who spoke from the audience in opposition of the case.

David Wade, Martin Tate Morrow & Marston, P.C., 6410 Poplar Ave, Suite 1000, Memphis, TN 38119.

MOTION: Approval of overall Resolution as Amended

MADE BY: Wilbanks

SECOND: Fleming

AYES: McCreery, Fleming, Norcross, Sharp, Toles, Trenholm, Wilbanks and Wallace

Item 8 –APPROVED AS AMENDED

Item 12: CASE #: P.D. 15-322

HOUSTON LEVEE TRAILS PLANNED DEVELOPMENT

Request: Amend P.D. 11-309 to allow additional uses of convenience store with gas pumps and hotel/motel to be allowed in the amendment area and removal of the maximum Floor Area ration for the amendment area Area A.

Location: Southeast corner of US Highway 64 and North Houston Levee Road

Applicant: First Alliance Bank

Applicant Representative: Cindy Reaves, SR Consulting LLC, 5909 Shelby Oaks Drive, Suite 200, Memphis, TN 38134

Chairman McCreery recognized the following persons who spoke from the audience in favor of the case.

Charles W. Misenhelter, 3979 Forest Pointe Way, Lakeland, TN 38002.

Chairman McCreery recognized the following persons who spoke from the audience in opposition of the case.

John Bogan, 2332 N. Reid Hooker, Memphis, TN 38104.

John Leake, 555 Cherokee Circle, Oakland, TN 38060

Marina Bogan, 2332 N. Reid Hooker, Memphis, TN 38104.

MOTION: Approval with Conditions.
MADE BY: Wilbanks
SECOND: Fleming
AYES: McCreery, Fleming, Norcross, Sharp, Toles, Trenholm, Wilbanks and Wallace

Item 12 – APPROVED AS AMENDED

Item 13: CASE #: P.D. 15-323

Request:

GRACELAND-WEST PLANNED DEVELOPMENT

Planned development to allow an entertainment complex with associated accessory structures and uses, including limited Commercial Mixed Use (CMU-3) District land uses.

Location: Northwest side of Elvis Presley Boulevard and Craft Rd.

Applicant: Elvis Presley Enterprises, Inc.

Applicant Representatives: Hunter Humphreys, 6000 Poplar Ave., Memphis, TN 38119.

Harvey Marcum, 6800 Poplar Ave., Suite 101, Memphis, TN 38119.

Regina Gambill, VP of Operations/GM at Elvis Presley Enterprises

Nancy Aaliyah

Chairman McCreery recognized the following persons who spoke from the audience in opposition of the case.

Joyce T. Bailey, 3803 Shady Hollow Lane, Memphis, TN 38116.

MOTION: Approval with amended conditions
MADE BY: Wilbanks
SECOND: Norcross
AYES: McCreery, Fleming, Norcross, Sharp, Toles, Trenholm, Wilbanks and Wallace

Item 13 – ITEM APPROVED AS AMENDED

Item 14: CASE #: P.D. 15-324 **MASSEY GREEN PLANNED DEVELOPMENT**
Request: Planned development for 14 lots for single-family dwellings.
Location: Northeast corner of West Massey Road and Massey Estates Cove
Applicant: Massey Green Developer, LLC
Applicant Representative: Cory Brady, 975 Fair Oaks Dr., Collierville, TN 38017

Chairman McCreery recognized the following persons who spoke from the audience in opposition of the case.

David Wade, Martin Tate Morrow & Marston, P.C., 6410 Poplar Ave, Suite 1000, Memphis, TN 38119.

MOTION: Approval with Conditions.
MADE BY: Wilbanks
SECOND: Sharp
AYES: McCreery, Fleming, Norcross, Sharp, Toles, Trenholm, Wilbanks and Wallace

Item 14 – ITEM APPROVED WITH CONDITIONS

Item 15: CASE #: S.U.P. 15-219 **BARTON POWER SPORTS AT MARTIN**
Request: To allow motorcycle and ATV sales within CMU-1 zoning district.
Location: 5715 Mt. Moriah Rd
Applicant: Frank G. Barton, III
Applicant Representative: Forrest Owens, 1755 Lynnfield, Memphis, TN 38119

Chairman McCreery recognized the following persons who spoke from the audience in favor of the case.

Frank Barton, 1901 E. Service Rd., West Memphis, AR 72301.

MOTION: Approval with an Amendment to allow for additional parking as applicant originally submitted.
MADE BY: Wilbanks
SECOND: Toles
AYES: McCreery, Fleming, Norcross, Sharp, Toles, Trenholm, Wilbanks and Wallace

Item 15 – ITEM APPROVED AS AMENDED

ADJOURNMENT:

There being no further business, the meeting there upon was adjourned.

MINUTES APPROVED:

11-12-15

CHAIRMAN

SECRETARY

